



UNITED STATES PATENT AND TRADEMARK OFFICE

#5
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/082,705	02/25/2002	Urlich Noth	NOT01-NP001

24358
THOMAS JEFFERSON UNIVERSITY
INTELLECTUAL PROPERTY DIVISION
1020 WALNUT STREET
SUITE 620
PHILADELPHIA, PA 19107

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ORIGINALLY FILED



CONFIRMATION NO. 5327

FORMALITIES LETTER



OC000000007709025

Date Mailed: 03/25/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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m/p

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

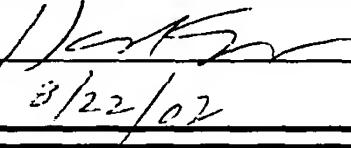
(to be used for all correspondence after initial filing)

		Application Number	10/082,705
		Filing Date	February 25, 2002
		First Named Inventor	Ulrich Noth
		Group Art Unit	3738
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	003252-52911

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	Check in the amount of \$525.00; and Certificate of Mailing.
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

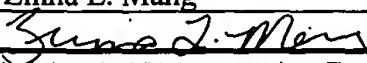
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Resnick; NIXON PEABODY LLP	
Signature		
Date	8/22/02	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

8/22/02

Typed or printed name	Zinna L. Mang
Signature	
Date	8/22/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/082,705
Filing Date	February 25, 2002
First Named Inventor	Ulrich Noth
Examiner Name	
Group Art Unit	3738
Attorney Docket No.	003252-52911

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account: charge fee deficiencies

Deposit Account Number: 50-0850
 Deposit Account Name: _____

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X _____	= _____
Multiple Dependent	-3** =	X _____	= _____

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	460.00
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination or of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

525.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	David S. Resnick	Registration No. (Attorney/Agent)	34,235	Telephone	617-345-6057
Signature				Date	8/22/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE



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LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Leena Karttunen is hereby given limited recognition under 37 CFR § 10.9(b), as an employee of the law firm of Nixon Peabody LLP, to prepare and prosecute patent applications wherein the patent applicant is a client of the law firm of Nixon Peabody LLP, and a registered practitioner, who is a member of the law firm of Nixon Peabody LLP, is the practitioner of record in the applications. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Leena Karttunen ceases to lawfully reside in the United States, (ii) Leena Karttunen's employment with the law firm of Nixon Peabody LLP, ceases or is terminated, or (iii) Leena Karttunen ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such limited recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: December 4, 2002



Harry I. Moatz
Director of Enrollment and Discipline



Practitioner's Docket No. 003252-52911

COPY OF PAPERS
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Noth et al.

Application No.: 10/082,705

Filed: February 25, 2002

For: TRABECULAR BONE-DERIVED HUMAN MESENCHYMAL STEM CELLS

Group No.: 3738

Examiner: Unassigned

Box Missing Parts

Assistant Commissioner for Patents

Washington D.C. 20231

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

Completion of Filing Requirements (5 pp);

Executed Declaration (2 pp);

Fee Transmittal (1 p.);

Transmittal for Response to Missing Parts (1 p.);

Copy of Notice to File Missing Parts; and

Check for \$525.00;

Change of Attorney Address in Application (1 p.); and

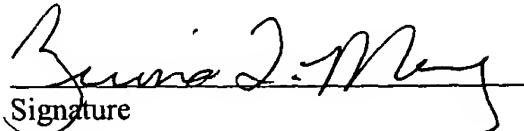
Return receipt postcard

is on the date shown below being:

MAILING

- deposited with the United States Postal Service and with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington D.C. 20231, Box Missing Parts.

Date: 8/22/02


Signature

Zinna L. Mang
(type or print name of person certifying)



Practitioner's Docket No. 003252-52911

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Noth et al.

Application No.: 10/082,705

Filed: February 25, 2002

For: TRABECULAR BONE-DERIVED HUMAN MESENCHYMAL STEM CELLS

Group No.: 3738

Examiner: Unassigned

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Box Missing Parts Assistant Commissioner for Patents, Washington, D.C. 20231.

8/22/02
Date

Zinna L. Mang
(type or print name of person mailing paper)

Zinna L. Mang
Signature of person mailing paper

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS
-- NONPROVISIONAL APPLICATION

(check and complete this item, if applicable)

- I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed March 25, 2002.
 A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

The declaration or oath that was filed was determined to be defective. A new original oath or

(Completion of Filing Requirements--Nonprovisional Application—Page 1 of 5)

declaration is attached.

(complete (c) or (d), if applicable)

Attached is a

- (c) [] Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) [] Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

SMALL ENTITY STATUS

III. [X] This is a filing by a small entity.

COMPLETION FEES

IV.

1. Filing fee

- [] original patent application
(37 C.F.R. Section 1.16(a)--\$740.00: small entity--\$370) \$ _____
- [] design application
(37 C.F.R. Section 1.16(f)--\$320; small entity--\$160) \$ _____

2. Fees for claims

- [] each independent claim in excess of 3
(37 C.F.R. Section 1.16(b)--\$84; small entity--\$42) \$ _____
- [] each claim in excess of 20
(37 C.F.R. Section 1.16(c)--\$18; small entity--\$9) \$ _____
- [] multiple dependent claim(s)
(37 C.F.R. Section 1.16(d)--\$280: small entity--\$140) \$ _____

3. Surcharge fees

[X] late payment of filing fee and/or late filing of original declaration or oath
(37 C.F.R. Section 1.16(e)--\$130; small entity--\$65) \$ 65.00

4. [] Petition and fee for filing by other than
all the inventors or a person not the inventor
(37 C.F.R. Sections 1.17(i) and 1.47--\$130) \$ _____

5. [] Fee for processing an application filed with
a specification in a non-English language
(37 C.F.R. Sections 1.17(k) and 1.52(d)--\$130) \$ _____

6. [] Fee for processing and retention of application
(37 C.F.R. Sections 1.21(l) and 1.53(d)--\$130) \$ _____

7. [] Assignment (See "ASSIGNMENT COVER SHEET") \$ _____

Total completion fees \$ 65.00

EXTENSION OF TIME

V.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) [X] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[] one month	\$110.00	\$55.00
[] two months	\$400.00	\$200.00
[X] three months	\$920.00	\$460.00
[] four months	\$1,440.00	\$720.00

Fee \$ 460.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VI.

The total fee due is

Completion fee(s) \$ 65.00
Extension fee (if any) \$ 460.00

Total Fee Due \$ 525.00

PAYMENT OF FEES

VII.

Enclosed is a check in the amount of \$ 525.00.

Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

Please change Account No. 50-0850 for any fee deficiencies which may be due by this paper or credit any overpayments.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper to Account No. 50-0850.

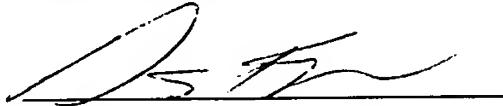
- 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a)).

- 37 C.F.R. Section 1.17 (application processing fees)
 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

Date:

8/22/12

Respectfully submitted,



Customer No. 26248

David S. Resnick (Reg. No. 34,235)
Nixon Peabody LLP
101 Federal Street
Boston, MA 02110
(617) 345-6054